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Attorneys for Plaintiff
Sundance Holdings Group, LLC

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

<p>Sundance Holdings Group, LLC, a Delaware limited liability company,</p> <p>Plaintiff,</p> <p>v.</p> <p>PurseN, LLC, a Georgia limited liability company,</p> <p>Defendant.</p>	<p>Case No: 2:15-cv-00763-DBP</p> <p>COMPLAINT FOR DECLARATORY JUDGMENT</p> <p>[DEMAND FOR JURY TRIAL]</p>
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Plaintiff Sundance Holdings Group, LLC, (“Sundance” or “Plaintiff”) through its undersigned attorneys, brings the following Complaint (“Complaint”) against Defendant PurseN, LLC (“PurseN” or “Defendant”) seeking a declaration of non-infringement of U.S.

Patent No. 8,272,505 (the “’505 Patent”), a copy of which is attached hereto as Exhibit A. For its complaint, Plaintiff alleges on personal knowledge as to its own acts and on information and belief as to all other matter, as follows:

PARTIES, JURISDICTION AND VENUE

1. Jurisdiction for this action arises under the Federal Declaratory Judgments Act, 28 U.S.C. §§2201 and 2202, and under the laws of United States concerning actions relating to patents, 35 U.S.C. §1338(a) and 35 U.S.C. §100 et seq.

2. There is a justiciable controversy between Plaintiff and Defendant. In a letter dated July 14, 2015, Defendant accused Plaintiff of infringing the ’505 Patent and made various demands relating thereto. Sundance does not believe it is infringing the ’505 Patent and responded accordingly.

3. Plaintiff is a limited liability company organized and existing under the laws of the State of Delaware with its principal place of business at 3865 West 2400 South, West Valley City, Utah 84120.

4. Plaintiff is informed and believes that at all times material hereto, Defendant PurseN, LLC is a limited liability company organized and existing under the laws of the State of Georgia with its principal place of business located at 1602 Peachtree Battle Avenue, Atlanta, Georgia 30327.

5. This Court has personal jurisdiction over Defendant because Defendant has established the requisite minimum contacts with this forum, and Defendant also has substantial, continuous and systematic contacts with the State of Utah as (i) Defendant’s conduct directly effects Plaintiff which resides in Utah, (ii) Defendant directs its marketing and advertising in Utah, (iii) Defendant has purposely availed itself of the privilege of conducting business in this State and in this judicial district; (iv) Defendant sells its products in Utah, (v) Defendant has

accused Plaintiff, a resident of Utah, of infringing the '505 Patent and (vi) this Court has long arm jurisdiction over Defendant pursuant to Utah Code Ann. § 78B-3-205.

6. Venue is proper in this district under 28 U.S.C. §1391(b)(1), in that the Defendant is subject to personal jurisdiction in this District (see above), and under 28 U.S.C. §1391(b)(2) because a substantial part of the events giving rise to the claims occurred in this District.

FACTS COMMON TO ALL CAUSES OF ACTION

7. On its face, the '505 Patent entitled "Expandable Soft-Sided Jewelry Organizer with Secured Display Compartments" indicates that it was issued by the United States Patent and Trademark Office on September 25, 2012. On its face, the '505 Patent states that it is a continuation of provisional application No. 61/369,370, filed on July 30, 2010.

8. According to the records at the United States Patent and Trademark Office, Defendant is the assignee of the '505 Patent.

9. Sundance is a Utah-based company, which offers a variety of products through its Sundance Catalog. One of the products it has offered in its catalog is the "Letter Perfect Jewelry Case". On July 14, 2015 Defendant sent Plaintiff a letter alleging that the "Letter Perfect Jewelry Case" ("Accused Product") infringes the '505 Patent.

10. Plaintiff denies these allegations of infringement.

FIRST CAUSE OF ACTION

Declaratory Judgment of Non-Infringement of the '505 Patent

11. Plaintiff incorporates by reference paragraphs 1 through 10 above as though fully set forth herein.

12. There is a present actual and justiciable case or controversy between Plaintiff and Defendant regarding non-infringement of the '505 Patent.

13. Plaintiff's Accused Product does not infringe the '505 Patent, by direct, contributory, or induced infringement.

14. If declaratory judgment is not granted in Plaintiff's favor regarding non-infringement of the '505 Patent, Plaintiff will continue to have a cloud of alleged liability for patent infringement hanging over its business and the Accused Product, and will continue to be harassed by Defendant in the conduct of Plaintiff's business.

JURY DEMAND

Plaintiff demands a jury trial on all claims as to which it has a right to a jury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Sundance prays as follows:

- (1) That it be declared that Plaintiff's product, the "Letter Perfect Jewelry Case", does not infringe the '505 Patent.
- (2) That Plaintiff be awarded costs and exceptional case attorney's fees pursuant to 35 U.S.C. §285;
- (3) For such other and further relief as the court deems just and proper.

Dated: October 27, 2015

/s/ David P. Johnson

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